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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

STARDOCK SYSTEMS, INC.,

Plaintiff,

vs.

PAUL REICHE III and ROBERT
FREDERICK FORD,

Defendants.

AND RELATED COUNTERCLAIM

Case No.: 4:17-cv-07025-SBA

**[PROPOSED] ORDER GRANTING
STARDOCK'S MOTION FOR TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE WHY A PRELIMINARY
INJUNCTION SHOULD NOT BE GRANTED**

[PROPOSED] ORDER GRANTING MOTION FOR TRO AND ORDER TO SHOW CAUSE FOR PI

Case No. 17-cv-07025-SBA

1 The Court, having considered Stardock's Motion for a TRO and Order to Show Cause,
2 hereby orders as follows:

3 YOU (Defendants Paul Reiche III and Robert Frederick Ford (collectively,
4 "Defendants")) ARE HEREBY ORDERED TO SHOW CAUSE at _____ on _____ or as soon
5 thereafter as counsel may be heard in the courtroom of the Honorable Judge Sandra Brown
6 Armstrong, located at 1301 Clay Street, Oakland, CA 94612 why YOU, your agents, servants,
7 employees and attorneys and those in active concert or participation with YOU or them, should
8 not be restrained and enjoined pending trial of this action from: submitting any DMCA notices
9 directed to *Star Control: Origins* or any of the related material that is the subject of the present
10 litigation.

11 PENDING HEARING on the above Order to Show Cause, YOU, your agents, servants,
12 employees and attorneys and all those in active concert or participation with you or them ARE
13 HEREBY RESTRAINED AND ENJOINED from: submitting any DMCA notices directed to any
14 of the material that is the subject of the present litigation, and in particular, to the *Star Control:*
15 *Origins* video game that is scheduled to be released on September 20, 2018. The Court also
16 construes 17 U.S.C. Section 512(g)(2)(C) as requiring that the person or entity that submitted the
17 notification must have at least filed a motion for a "restraining order", if not obtained an order
18 granting that motion, and presented that order to the service provider in order for the service
19 provider to keep the targeted material down.

20 The above Temporary Restraining Order is effective immediately. Because there is no
21 realistic likelihood of harm to Defendants who are enjoined as described herein, Stardock is not
22 required to post a security bond.

23 This Order to Show Cause and supporting papers must be served on Defendant(s) no later
24 than _____ days before the date set for hearing and proof of service shall be filed no later
25 than _____ court days before the hearing. Any response or opposition to this Order to Show Cause
26 must be filed and personally served on Plaintiff's counsel no later than _____ court days before the
27

1 date set for hearing and proof of service shall be filed no later than ____court days before the
2 hearing.

3 IT IS SO ORDERED.

4 DATED: _____

Judge Sandra Brown Armstrong